

Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

WASHINGTON TOXICS COALITION,
et al.,

Plaintiffs,

v.

ENVIRONMENTAL PROTECTION
AGENCY, et al.,

Defendants,

and

CROPLIFE AMERICA, et al.,

Intervenor-Defendants.

NO. C01-0132 C

[PROPOSED] ORDER GRANTING
INTERVENOR-DEFENDANTS'
MOTION FOR STAY PENDING
APPEAL

Upon consideration of the Intervenor-Defendants' motion for stay pending appeal, filed by Intervenor CropLife America, et al., it is hereby ORDERED that the motion is GRANTED. On January 22, 2004, this Court issued an Order granting Plaintiffs injunctive relief, whereby it enjoined, vacated, and set aside the uses of up to 54 pesticide active ingredients, registered under the Federal Insecticide, Fungicide and Rodenticide Act ("FIFRA"), within defined buffer zones around "Salmon Supporting Waters," and ordered

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1 other affirmative relief. Intervenor-Defendants, all businesses directly and negatively
2 affected by the granted injunction, filed their notice of appeal of this Court's Order on
3 February 18, 2004. Because this Court now finds that Intervenor-Defendants satisfy the
4 criteria for a stay pending appeal, the Court hereby stays immediately its Order of January
5 22, 2004, pending a final decision by the Court of Appeals on the merits of Intervenor-
6 Defendants' appeal.

7 Entered this _____ day of _____, 2004.

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10 HONORABLE JOHN C. COUGHENOUR
Chief United States District Judge

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12 Presented by:

13 s/J. Michael Klise
14 Steven P. Quarles, pro hac vice
15 J. Michael Klise, pro hac vice
16 Thomas R. Lundquist (D.C. Bar No. 968123)
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